

UNITED STATES OF AMERICA,)
)
 V.) 5:09-CR-40-1-BR
)
 PHILIP JOE GUYETT, JR.,)
)
 DEFENDANT.)
)

APPEARANCES:

FOR THE GOVERNMENT:

FOR THE DEFENDANT:

COURT REPORTER: DONNA J. TOMAWSKI
STENOTYPE WITH COMPUTER AIDED TRANSCRIPTION

1 MARCH 9, 2009

2 * * *

3 **THE COURT:** THE COURT IS NOW GOING TO ITS
4 ARRAIGNMENT CALENDAR. BEFORE I GET INTO IT, MADAM CLERK
5 PLEASE SWEAR IN THE INTERPRETERS.

6 (SPANISH INTERPRETERS SWORN.)

7 **THE COURT:** ALL RIGHT. THE COURT IS GOING TO
8 CALL THE ARRAIGNMENT CALENDAR. AS I CALL THE DEFENDANT'S
9 NAME, THE ATTORNEY SHOULD RESPOND ADVISING FIRST, WHETHER
10 THE DEFENDANT IS PRESENT; AND SECONDLY, IF THE MATTER IS
11 TO BE DISPOSED OF BY PLEA OR TRIAL, AND IF BY TRIAL THE
12 ANTICIPATED LENGTH OF TRIAL.

13 (CALENDAR CALLED.)

14 **THE COURT:** ALL RIGHT. FOR THE NEXT FEW MINUTES
15 I'M GOING TO BE ADDRESSING MY REMARKS TO THOSE OF YOU WHO
16 HAVE INDICATED THROUGH COUNSEL THAT YOU ARE HERE TO PLEAD
17 GUILTY TO SOME CHARGE IN THIS COURT TODAY.

18 AFTER I HAVE COMPLETED THIS RECITATION OF RIGHTS TO
19 YOU, EACH OF YOU WILL BE BROUGHT UP TO COUNSEL TABLE ALONG
20 WITH YOUR LAWYER, AT WHICH TIME YOU WILL BE PLACED UNDER
21 OATH AND I WILL ASK YOU SOME QUESTIONS. THOSE QUESTIONS
22 WILL BE BASED IN LARGE MEASURE ON THE THINGS THAT I'M
23 GOING TO BE SAYING TO YOU FOR THE NEXT FEW MINUTES SO IT'S
24 CRITICALLY IMPORTANT THAT YOU LISTEN TO EVERYTHING THAT I
25 SAY.

1 IT'S IMPORTANT BECAUSE I'M GOING TO BE TALKING TO YOU
2 ABOUT RIGHTS THAT YOU HAVE UNDER THE CONSTITUTION AND LAWS
3 OF THE UNITED STATES. IT'S IMPORTANT BECAUSE YOU MUST
4 WAIVE SOME OF THOSE RIGHTS IN ORDER TO ENTER A PLEA OF
5 GUILTY, AND IT'S IMPORTANT BECAUSE, AS I HAVE INDICATED,
6 YOU WILL BE UNDER OATH WHEN QUESTIONED BY ME, MEANING THAT
7 IF YOU GIVE ME ANY FALSE OR INCORRECT ANSWERS YOU COULD
8 SUBJECT YOURSELF TO THE PENALTIES OF PERJURY. I DON'T
9 WANT THAT TO HAPPEN AND I'M SURE YOU DON'T EITHER.

10 WHEN YOU COME UP TO COUNSEL TABLE TO BE QUESTIONED BY
11 ME AND I ASK YOU THE QUESTIONS, IF YOU DO NOT UNDERSTAND A
12 QUESTION, IF YOU WILL SIMPLY ASK ME TO DO SO, I WILL BE
13 GLAD TO REPEAT IT. OR IF YOU DESIRE TO CONSULT WITH YOUR
14 LAWYER BEFORE GIVING YOUR ANSWER IN OPEN COURT, I'LL GIVE
15 YOU AN OPPORTUNITY TO DO THAT.

16 I ADVISE EACH OF YOU THAT ON THE CHARGES YOU FACE IN
17 THIS COURT TODAY, YOU HAVE AN ABSOLUTE RIGHT TO PLEAD NOT
18 GUILTY AND BE TRIED BY A JURY. YOU ARE PRESUMED BY LAW TO
19 BE INNOCENT OF THE CHARGES. THAT MEANS YOU DON'T HAVE TO
20 PROVE ANYTHING; THE BURDEN IS ON THE UNITED STATES
21 GOVERNMENT TO PROVE YOUR GUILT BY COMPETENT EVIDENCE AND
22 BEYOND A REASONABLE DOUBT.

23 IN ORDER TO DO THAT, THE GOVERNMENT MUST BRING
24 WITNESSES INTO THIS COURTROOM TO TESTIFY TO THE JURY AND
25 IN YOUR PRESENCE. YOU OR YOUR LAWYER ACTING ON YOUR

1 BEHALF HAVE AN ABSOLUTE RIGHT TO OBJECT TO THE
2 INTRODUCTION OF EVIDENCE BY THE GOVERNMENT, TO
3 CROSS-EXAMINE GOVERNMENT WITNESSES, TO PRESENT EVIDENCE ON
4 YOUR BEHALF, TO HAVE WITNESSES TESTIFY FOR YOU, AND TO THE
5 COMPULSORY PROCESSES OF LAW TO BRING THOSE WITNESSES INTO
6 THE COURTROOM.

7 YOU, OF COURSE, MAY TESTIFY IN YOUR OWN BEHALF IF YOU
8 DESIRE TO DO SO. YOU CAN'T BE FORCED TO TESTIFY AND IF
9 YOU ELECT NOT TO, THAT FACT, THAT IS THAT YOU DID NOT
10 TESTIFY, CANNOT BE USED AGAINST YOU IN ANY WAY WHATSOEVER.

11 NOW, BY PLEADING GUILTY, YOU WAIVE MOST OF THE RIGHTS
12 THAT I HAVE JUST OUTLINED. THERE WON'T BE ANY JURY TRIAL,
13 THERE WON'T BE ANY EVIDENCE PRESENTED EXCEPT SUCH AS I MAY
14 REQUIRE TO SATISFY MYSELF OF YOUR GUILT OR TO PROVIDE ME
15 WITH BACKGROUND INFORMATION ON WHICH TO BASE AN
16 APPROPRIATE SENTENCE.

17 YOU MUST ALSO WAIVE YOUR RIGHT AGAINST
18 SELF-INCRIMINATION BECAUSE BEFORE I WILL APPROVE YOUR
19 GUILTY PLEA, I WILL ASK YOU QUESTIONS CONCERNING THE VERY
20 OFFENSE TO WHICH YOU ARE OFFERING TO PLEAD GUILTY AND YOU
21 MUST ANSWER THOSE QUESTIONS TRUTHFULLY AS WELL.

22 BY PLEADING GUILTY TO A FELONY, YOU FORFEIT CERTAIN
23 VALUABLE RIGHTS OF CITIZENSHIP, INCLUDING THE RIGHT TO
24 VOTE, THE RIGHT TO HOLD PUBLIC OFFICE, THE RIGHT TO SERVE
25 ON A JURY, THE RIGHT TO OWN OR POSSESS ANY KIND OF A

1 FIREARM.

2 I ADVISE YOU THAT YOU MAY BE ORDERED TO MAKE
3 RESTITUTION IN MONEY OR SERVICES TO THE VICTIM OF THE
4 CRIME TO WHICH YOU PLEAD GUILTY, AND IN CERTAIN CASES
5 FORFEIT PROPERTY TO THE UNITED STATES GOVERNMENT. THE
6 COURT MUST IMPOSE A SPECIAL ASSESSMENT ON EACH COUNT TO
7 WHICH YOU PLEAD GUILTY. IF YOUR OFFENSE INVOLVES FRAUD,
8 YOU MAY BE ORDERED TO PROVIDE NOTICE OF YOUR CONVICTION TO
9 THE VICTIM OF YOUR OFFENSE.

10 IF YOU ARE GIVEN A TERM OF IMPRISONMENT, YOU MAY ALSO
11 BE GIVEN A TERM OF SUPERVISED RELEASE IN ADDITION TO THAT
12 TERM OF IMPRISONMENT. THAT TERM WILL BEGIN AT THE END OF
13 YOUR PRISON TERM. IT WILL BE ON CERTAIN CONDITIONS. YOU
14 WILL BE UNDER THE SUPERVISION OF A UNITED STATES PROBATION
15 OFFICER. IF YOU VIOLATE ANY OF THE CONDITIONS OF YOUR
16 SUPERVISED RELEASE, YOU MAY BE REQUIRED TO RETURN TO
17 PRISON TO SERVE THE TERM OF THE SUPERVISED RELEASE.

18 ON YOUR SENTENCING DATE, IN DETERMINING YOUR
19 SENTENCE, THE COURT HAS AN OBLIGATION TO CALCULATE THE
20 APPLICABLE SENTENCING GUIDELINE RANGE, THAT IS THE
21 ADVISORY GUIDELINE RANGE, AND TO CONSIDER THAT RANGE,
22 POSSIBLE DEPARTURES UNDER THE SENTENCING GUIDELINES, AND
23 OTHER SENTENCING FACTORS THAT ARE SET OUT IN 18 U.S.C.
24 SECTION 3553(A).

25 NOW, THE UNITED STATES SENTENCING COMMISSION

1 ESTABLISHES THE RANGES SET FORTH IN THE ADVISORY
2 SENTENCING GUIDELINES AND THEY SET WHAT ARE CALLED MINIMUM
3 RANGES AND MAXIMUM RANGES. THE COURT ORDINARILY WILL STAY
4 IN THOSE RANGES IN THE BEGINNING OF A CALCULATION UNLESS
5 THE COURT CAN FIND A REASON FOR A DEPARTURE. THAT OCCURS
6 PRIMARILY IN THREE SITUATIONS. THE FIRST AND MOST
7 FREQUENT OF WHICH IS MOTION FOR A DOWNWARD DEPARTURE BASED
8 ON THE SUBSTANTIAL ASSISTANCE BY THE DEFENDANT IN
9 PROVIDING INFORMATION TO THE GOVERNMENT. THAT MOTION MUST
10 BE MADE BY THE UNITED STATES ATTORNEY BEFORE THE COURT CAN
11 CONSIDER IT. THE COURT CAN ALSO DEPART EITHER UPWARDLY OR
12 DOWNWARDLY IF THE COURT FINDS THAT THERE ARE FACTORS
13 EXISTING WHICH WERE NOT ADEQUATELY TAKEN INTO
14 CONSIDERATION BY THE SENTENCING COMMISSION IN ESTABLISHING
15 THE GUIDELINE RANGE OR IF THE COURT FINDS THAT THE
16 DEFENDANT'S CRIMINAL HISTORY CATEGORY DOES NOT ACCURATELY
17 REFLECT THE DEFENDANT'S TRUE CRIMINAL HISTORY.

18 NOW, A WRITTEN PRE-SENTENCE REPORT WILL BE PREPARED
19 BY THE PROBATION OFFICE TO ASSIST THE COURT IN SENTENCING,
20 AND YOU WILL BE ASKED TO PROVIDE INFORMATION TO GO INTO
21 THAT REPORT. IF YOU DESIRE, YOU MAY HAVE YOUR LAWYER
22 PRESENT WITH YOU WHEN YOU ARE INTERVIEWED BY THE PROBATION
23 OFFICE.

24 NOW, THE COURT WILL NOT BE ABLE TO DETERMINE WHAT
25 YOUR ADVISORY GUIDELINE RANGE IS UNTIL AFTER THAT REPORT

1 HAS BEEN PREPARED AND BOTH YOU AND THE GOVERNMENT -- AND
2 BOTH YOU AND YOUR LAWYER AND THE GOVERNMENT LAWYER HAVE
3 HAD AN OPPORTUNITY TO CHALLENGE THE FACTS THAT ARE SET OUT
4 IN THAT PRE-SENTENCE REPORT. THAT NECESSARILY MEANS THAT
5 NO ONE KNOWS WHAT YOUR ADVISORY GUIDELINE RANGE IS NOW.
6 NEVERTHELESS, YOUR LAWYER, IN PREPARING YOU FOR TODAY'S
7 HEARING, HAS TOLD YOU WHERE HE OR SHE HAS CALCULATED YOUR
8 GUIDELINE RANGE WOULD PROBABLY FALL. THAT'S NECESSARY IN
9 ORDER TO PROVIDE YOU WITH THE PROPER ADVICE OF COUNSEL
10 THAT YOU MUST HAVE BEFORE APPEARING BEFORE THIS COURT
11 TODAY. NEVERTHELESS, IF THERE IS SOME DISCREPANCY IN THE
12 NUMBERS AS PREDICTED BY YOUR LAWYER AND THOSE FINALLY
13 DETERMINED BY THE COURT, THAT WOULD NOT GIVE YOU ANY CAUSE
14 OR JUSTIFIABLE REASON TO HAVE YOUR GUILTY PLEA SET ASIDE
15 AND BE TRIED BY A JURY. IN OTHER WORDS, IF YOUR GUILTY
16 PLEA IS ACCEPTED BY THE COURT TODAY, YOU WILL BE BOUND BY
17 THAT IN SPITE OF ANY DISCREPANCY IN THE PREDICTED
18 GUIDELINE RANGE BY YOUR LAWYER AND THE FINAL NUMBERS BY
19 THE COURT.

20 NOW, ON THE DATE OF YOUR SENTENCING THE COURT WILL
21 TAKE THOSE NUMBERS BY THE -- AS DETERMINED BY THE
22 SENTENCING COMMISSION AS THE STARTING POINT IN DETERMINING
23 YOUR SENTENCE AND CONSIDER ANY REQUEST BY YOUR LAWYER FOR
24 A DEPARTURE UNDER THE GUIDELINES, AND THEN ALSO CONSIDER
25 ANY REQUESTS FOR A VARIANCE UNDER 18 U.S.C. SECTION

1 3553(A) AND THE CASE LAW THAT HAS BEEN DETERMINED BY THE
2 COURTS IN LIGHT OF THOSE PROVISIONS.

3 I ADVISE EACH OF YOU THAT PAROLE HAS BEEN ABOLISHED.
4 THAT MEANS YOU WON'T BE RELEASED EARLY ON PAROLE BUT WILL
5 SERVE THE SENTENCE ACTUALLY GIVEN LESS ANY POSSIBLE GOOD
6 TIME CREDITS, THOSE BEING GIVEN SOLELY BY AND IN THE
7 DISCRETION OF THE UNITED STATES BUREAU OF PRISONS.

8 AT THE TIME OF YOUR SENTENCING, BOTH YOU AND YOUR
9 LAWYER WILL HAVE AN OPPORTUNITY TO SPEAK TO THE COURT IN
10 MITIGATION OF THE SENTENCE THAT YOU ARE TO RECEIVE.

11 WHEN YOU COME FORWARD TO BE QUESTIONED BY ME, I'LL
12 ASK YOU SOME QUESTIONS ABOUT YOUR RELATIONSHIP WITH YOUR
13 ATTORNEY, PARTICULARLY YOUR SATISFACTION OR LACK THEREOF
14 OF THE SERVICES THAT YOU HAVE RECEIVED BY THE LAWYER AND
15 IF YOU HAVE ANY COMPLAINTS ABOUT YOUR LAWYER'S SERVICES,
16 YOU NEED TO BRING THAT TO MY ATTENTION AT THAT TIME.

17 I ADVISE EACH OF YOU THAT IF YOUR PLEA IS ACCEPTED BY
18 THE COURT, IT WILL BECOME A CONVICTION AND THEN AFTER YOUR
19 SENTENCE YOU HAVE A RIGHT TO APPEAL. YOU CAN APPEAL YOUR
20 CONVICTION IF YOU BELIEVE YOUR GUILTY PLEA WAS SOMEHOW
21 UNLAWFUL OR INVOLUNTARY OR IF THERE'S SOME OTHER
22 FUNDAMENTAL DEFECT IN THE PROCEEDINGS THAT WAS NOT WAIVED
23 BY YOUR GUILTY PLEA. YOU HAVE A STATUTORY RIGHT TO APPEAL
24 YOUR SENTENCE UNDER CERTAIN CIRCUMSTANCES, PARTICULARLY IF
25 YOU THINK THE SENTENCE IS CONTRARY TO LAW. HOWEVER, A

1 DEFENDANT MAY WAIVE THOSE RIGHTS AS PART OF A PLEA
2 AGREEMENT, AND THOSE WAIVERS ARE GENERALLY ENFORCEABLE.
3 IF YOU BELIEVE THE WAIVER IS UNENFORCEABLE, THEN YOU CAN
4 PRESENT THAT THEORY TO THE APPELLATE COURT. WITH FEW
5 EXCEPTIONS, ANY NOTICE OF APPEAL MUST BE FILED WITHIN TEN
6 DAYS OF JUDGMENT BEING ENTERED IN YOUR CASE.

7 IF YOU ARE UNABLE TO PAY THE COSTS OF AN APPEAL, YOU
8 MAY APPLY FOR LEAVE TO APPEAL IN FORMA PAUPERIS, AND AT
9 YOUR REQUEST THE COURT WILL -- THE CLERK OF COURT WILL
10 PREPARE AND FILE A NOTICE OF APPEAL ON YOUR BEHALF.

11 NOW, THREE OF YOU TODAY ARE COMING BEFORE ME ON BILLS
12 OF INFORMATION AS OPPOSED TO BILLS OF INDICTMENT AND I
13 HAVE FURTHER ADVICE TO GIVE TO THE THREE OF YOU, NAMELY
14 MR. CANDELARDO, MR. DOMINGUEZ-GONZALEZ, AND MR. GUYETT,
15 JUNIOR.

16 **MR. GOULIAN:** EXCUSE ME, YOUR HONOR.
17 MR. DOMINGUEZ-GONZALEZ IS PLEADING TO THE INDICTMENT, NOT
18 THE INFORMATION.

19 **THE COURT:** ALL RIGHT. WELL, THOSE OF YOU WHO
20 ARE PLEADING GUILTY TO A CRIMINAL INFORMATION, LISTEN
21 CAREFULLY TO THE ADVICE I'M GIVING YOU NOW WITH REGARD TO
22 WAIVER OF INDICTMENT.

23 THERE ARE TWO WAYS IN WHICH A FELONY CHARGE MAY BE
24 BROUGHT BEFORE THE COURT. ONE IS BY INDICTMENT, THE OTHER
25 IS BY INFORMATION. THE DIFFERENCE IN THE TWO IS THAT AN

1 INDICTMENT IS PRESENTED TO THE GRAND JURY WHEREAS AN
2 INFORMATION IS PRESENTED DIRECTLY TO THE COURT WITHOUT
3 GOING TO THE GRAND JURY. THAT STEP IN THE PROCESS IS
4 THERE FOR THE BENEFIT OF THE PERSON ACCUSED, IN THIS CASE
5 YOU IF YOU ARE THE DEFENDANT.

6 THE GRAND JURY IS A GROUP OF YOUR FELLOW CITIZENS WHO
7 MEET ON CALL OF THE UNITED STATES ATTORNEY TO CONSIDER
8 POSSIBLE CHARGES AGAINST INDIVIDUALS. THEY MEET AND THEY
9 LISTEN TO THE EVIDENCE PRESENTED BY THE UNITED STATES
10 ATTORNEY. ONLY THE UNITED STATES ATTORNEY AND THE
11 WITNESSES CAN GO INTO THE GRAND JURY ROOM. NEITHER THE
12 DEFENDANT NOR THE DEFENDANT'S LAWYER IS THERE.

13 IT IS THE RESPONSIBILITY OF THE GRAND JURY TO
14 DETERMINE WHETHER THERE'S PROBABLE CAUSE TO BELIEVE THAT A
15 CRIME HAS BEEN COMMITTED AND WHETHER THERE'S PROBABLE
16 CAUSE TO BELIEVE THAT THE PERSON NAMED THEREIN COMMITTED
17 THAT CRIME.

18 A GRAND JURY IS COMPOSED OF AT LEAST 16 AND NOT MORE
19 THAN 23 PEOPLE AND AT LEAST 12 GRAND JURORS MUST FIND
20 PROBABLE CAUSE, AS INDICATED, BEFORE A PERSON CAN BE
21 BROUGHT TO TRIAL IN OUR COURT.

22 SO ONCE SOMETHING IS PRESENTED TO THE GRAND JURY, THE
23 GRAND JURY MAY INDICT, THE GRAND JURY MAY NOT INDICT. IF
24 THEY DON'T, THE PERSON CAN'T BE BROUGHT TO TRIAL.

25 NOW, LIKE SO MANY OTHER CONSTITUTIONAL AND STATUTORY

1 RIGHTS, THE RIGHT TO BE INDICTED BY THE GRAND JURY IS ONE
2 THAT CAN BE WAIVED OR GIVEN UP. IN FACT, IF YOU ARE TO
3 PROCEED IN THIS COURT BY WAY OF CRIMINAL INFORMATION, YOU
4 MUST, IN THIS COURTROOM, WAIVE YOUR RIGHT TO BE INDICTED
5 BY THE GRAND JURY. SO KEEP THAT IN MIND WHEN YOU ARE
6 CALLED FORWARD.

7 * * *

8 **THE COURT:** ALL RIGHT. MR. PHILIP GUYETT.

9 **MR. BOYCE:** MAY I APPROACH WITH THE WAIVER, YOUR
10 HONOR?

11 **THE COURT:** YES, YOU MAY. LET THE DEFENDANT BE
12 SWORN.

13 **PHILIP JOE GUYETT, JR.**, BEING FIRST DULY SWORN, TESTIFIED
14 AS FOLLOWS DURING **EXAMINATION**:

15 **BY THE COURT:**

16 **Q.** MR. GUYETT, HOW OLD ARE YOU?

17 **A.** FORTY-ONE.

18 **Q.** HOW MUCH FORMAL EDUCATION DO YOU HAVE?

19 **A.** ABOUT 15 YEARS.

20 **Q.** ARE YOU CURRENTLY EMPLOYED?

21 **A.** YES.

22 **Q.** DOING WHAT?

23 **A.** METAL RECYCLING.

24 **Q.** ARE YOU NOW OR HAVE YOU RECENTLY BEEN UNDER THE CARE
25 OF ANY DOCTOR OR PSYCHIATRIST?

1 **A.** NO, SIR.

2 **Q.** HAVE YOU EVER BEEN HOSPITALIZED OR TREATED FOR
3 NARCOTICS ADDICTION?

4 **A.** NO, SIR.

5 **Q.** DURING THE PAST 24 HOURS, HAVE YOU HAD ANY KIND OF
6 DRUGS, MEDICINES, PILLS, OR ALCOHOLIC BEVERAGES OF ANY
7 KIND?

8 **A.** NO.

9 **Q.** MR. BOYCE WHO STANDS WITH YOU IS YOUR LAWYER; IS THAT
10 CORRECT?

11 **A.** YES.

12 **Q.** HAVE YOU BEEN FURNISHED WITH A COPY OF THE CHARGES,
13 THE CRIMINAL INFORMATION IN THIS CASE?

14 **A.** YES.

15 **Q.** HAVE YOU HAD TIME TO READ IT AND GO OVER IT
16 THOROUGHLY WITH MR. BOYCE, YOUR LAWYER?

17 **A.** YES, SIR.

18 **Q.** DO YOU FEEL AS IF YOU FULLY UNDERSTAND THE NATURE OF
19 THE CHARGES?

20 **A.** YES, SIR.

21 **Q.** DO YOU SEE ANY NEED FOR ME TO EXPLAIN THE CHARGES TO
22 YOU ANY FURTHER?

23 **A.** NO.

24 **Q.** I ADVISE YOU THAT THE CHARGES CONTAINED IN THIS
25 CRIMINAL INFORMATION, MR. GUYETT, CONSTITUTE FELONIES

1 UNDER THE LAWS OF THE UNITED STATES AND THAT YOU ARE
2 ENTITLED TO HAVE THE MATTER PRESENTED TO THE GRAND JURY.

3 WERE YOU SITTING IN THE COURTROOM WHEN I ADVISED ALL
4 OF THE DEFENDANTS EARLIER TODAY ABOUT THE RIGHTS THAT ONE
5 HAS TO HAVE A FELONY MATTER PRESENTED TO THE GRAND JURY?

6 **A.** YES.

7 **Q.** DID YOU LISTEN CAREFULLY TO THE THINGS THAT I HAD TO
8 SAY?

9 **A.** YES.

10 **Q.** YOU DO UNDERSTAND, DO YOU NOT, THAT YOU HAVE A RIGHT
11 TO HAVE THIS MATTER PRESENTED TO THE GRAND JURY?

12 **A.** YES, SIR.

13 **Q.** IS IT YOUR DESIRE TO WAIVE THAT RIGHT AND TO MOVE
14 FORWARD BY WAY OF THIS CRIMINAL INFORMATION?

15 **A.** YES.

16 **Q.** HAS ANYBODY THREATENED YOU IN ANY WAY TO GET YOU TO
17 DO THAT?

18 **A.** NO.

19 **Q.** HAS ANYBODY MADE ANY PROMISE TO YOU IN ORDER TO GET
20 YOU TO DO THAT?

21 **A.** NO.

22 **THE COURT:** MR. BOYCE, DO YOU KNOW OF ANY REASON
23 WHY YOUR CLIENT SHOULD NOT WAIVE HIS RIGHT TO BE INDICTED
24 BY THE GRAND JURY?

25 **MR. BOYCE:** NO, SIR.

1 **BY THE COURT:**

2 **Q.** I HAVE BEEN HANDED, MR. GUYETT, A TYPEWRITTEN
3 DOCUMENT READING: "I, PHILIP JOE GUYETT, JUNIOR, THE
4 ABOVE NAMED DEFENDANT WHO IS ACCUSED OF COMMITTING MAIL
5 FRAUD IN VIOLATION OF TITLE 18, UNITED STATES CODE, BEING
6 ADVISED OF THE NATURE OF THE CHARGE AND PROPOSED
7 INFORMATION AND MY RIGHTS, HEREBY WAIVE IN OPEN COURT ON
8 MARCH 9, 2009, PROSECUTION BY INDICTMENT AND CONSENT THAT
9 THE PROCEEDING MAY BE BY INFORMATION RATHER THAN BY
10 INDICTMENT."

11 IT APPEARS THAT YOU HAVE SIGNED IT ON THE LINE JUST
12 ABOVE WHERE YOUR NAME IS TYPED PHILIP JOE GUYETT, JUNIOR.
13 IS THAT YOUR SIGNATURE?

14 **A.** YES, SIR.

15 **Q.** DID YOU AFFIX YOUR SIGNATURE TO THIS PAPER IN THIS
16 COURTROOM TODAY?

17 **A.** YES, SIR.

18 **Q.** THE COURT WILL APPROVE THE WAIVER.

19 HOW DO YOU PLEAD TO THOSE CHARGES?

20 **A.** GUILTY.

21 **THE COURT:** MR. BOYCE, HAVE YOU HAD ANY
22 DIFFICULTY COMMUNICATING WITH YOUR CLIENT?

23 **MR. BOYCE:** NONE WHATSOEVER, YOUR HONOR.

24 **THE COURT:** DO YOU HAVE ANY REASON TO DOUBT HIS
25 COMPETENCE TO ENTER A PLEA?

1 **MR. BOYCE:** NO, SIR.

2 **THE COURT:** DOES COUNSEL FOR THE GOVERNMENT?

3 **MS. RANGARAJAN:** NO, YOUR HONOR.

4 **THE COURT:** LET THE RECORD REFLECT THAT THE
5 COURT FINDS AS A FACT THAT THE DEFENDANT IS COMPETENT TO
6 PLEAD.

7 **BY THE COURT:**

8 **Q.** MR. GUYETT, HAVE YOU HAD PLENTY OF TIME AND
9 OPPORTUNITY TO DISCUSS THIS CASE WITH MR. BOYCE, YOUR
10 LAWYER?

11 **A.** YES, SIR.

12 **Q.** ARE YOU SATISFIED WITH THE SERVICES THAT HE HAS
13 RENDERED TO YOU AS YOUR LAWYER?

14 **A.** YES, SIR.

15 **Q.** DO YOU HAVE ANY COMPLAINTS AT ALL?

16 **A.** NO, SIR.

17 **Q.** SITTING WHERE YOU WERE BACK IN THE COURTROOM EARLIER
18 TODAY, DID YOU HEAR AND UNDERSTAND MY EXPLANATION OF THE
19 RIGHTS THAT YOU HAVE UNDER THE CONSTITUTION AND LAWS OF
20 THE UNITED STATES ON THE CHARGES YOU FACE HERE?

21 **A.** YES, SIR.

22 **Q.** DO YOU NOW HAVE ANY QUESTIONS YOU'D LIKE TO ASK ME
23 ABOUT WHAT I TOLD YOU?

24 **A.** NO, SIR.

25 **Q.** KNOWING THAT YOU MUST WAIVE OR GIVE UP THOSE RIGHTS

1 BEFORE YOU WILL BE ALLOWED TO ENTER A PLEA OF GUILTY, ARE
2 YOU ABSOLUTELY SURE THIS IS WHAT YOU WANT TO DO?

3 **A.** YES, SIR.

4 **Q.** DID YOU ALSO HEAR AND UNDERSTAND WHAT I HAD TO SAY
5 ABOUT THE ADVISORY SENTENCING GUIDELINES?

6 **A.** YES, SIR.

7 **Q.** I TAKE IT THAT MR. BOYCE HAS TOLD YOU WHERE HE HAS
8 CALCULATED YOUR GUIDELINE RANGE WILL PROBABLY FALL. HE'S
9 DONE THAT, HASN'T HE?

10 **A.** YES, SIR.

11 **Q.** YOU UNDERSTAND THAT IN DOING THAT HE WAS EXERCISING
12 HIS BEST PROFESSIONAL JUDGMENT AS YOUR LAWYER?

13 **A.** YES, SIR.

14 **Q.** AND THAT IF THE NUMBERS HE HAS FORECAST HAPPEN TO
15 DIFFER FROM THE NUMBERS AS FINALLY DETERMINED BY THE
16 COURT, YOU WILL STILL BE BOUND BY THE TERMS OF YOUR PLEA
17 ENTERED TODAY IF IT'S APPROVED TODAY?

18 **A.** YES, SIR.

19 **Q.** DO YOU HAVE ANY QUESTIONS YOU WANT TO ASK ME ABOUT
20 THE SENTENCING GUIDELINES?

21 **A.** NO, SIR.

22 **Q.** HAS ANYBODY THREATENED YOU OR IN ANY WAY FORCED YOU
23 TO COME INTO COURT TODAY TO OFFER TO ENTER THIS PLEA OF
24 GUILTY?

25 **A.** NO, SIR.

1 Q. I HAVE BEEN GIVEN A TYPEWRITTEN MEMORANDUM OF PLEA
2 AGREEMENT CONSISTING OF TEN PAGES, ON THE LAST OF WHICH
3 APPEARS THE SIGNATURES OF MR. BOYCE, YOUR LAWYER AND
4 MR. JASON COWLEY, THE GOVERNMENT LAWYER. IT ALSO APPEARS
5 THAT YOU HAVE SIGNED IT, PHILIP JOE GUYETT, JUNIOR ON THE
6 LINE JUST ABOVE WHERE YOUR NAME IS TYPED. IS THAT YOUR
7 SIGNATURE?

8 A. YES, SIR.

9 Q. BEFORE YOU SIGNED THIS DOCUMENT, DID YOU READ IT?

10 A. YES, SIR.

11 Q. DID YOU GO OVER IT WITH MR. BOYCE?

12 A. YES, SIR.

13 Q. I TAKE IT THEN THAT YOU FEEL AS IF YOU UNDERSTAND ITS
14 CONTENTS?

15 A. YES, SIR.

16 Q. YOU HAVE SEEN ME DO THIS SEVERAL TIMES ALREADY TODAY.
17 I'M GOING TO SUMMARIZE MY UNDERSTANDING FOR THE PUBLIC
18 RECORD. WHEN I GET THROUGH, I WANT YOU TO TELL ME IF MY
19 UNDERSTANDING AND YOURS DIFFER IN ANY SIGNIFICANT WAY.

20 MY UNDERSTANDING IS THAT YOU AGREE TO PLEAD GUILTY TO
21 COUNTS ONE, TWO AND THREE OF THIS CRIMINAL INFORMATION,
22 FULLY UNDERSTANDING THAT EACH OF THOSE COUNTS CHARGES YOU
23 WITH MAIL FRAUD ON WHICH YOU FACE MAXIMUM PENALTIES OF 20
24 YEARS IMPRISONMENT ON EACH COUNT, THREE YEARS SUPERVISED
25 RELEASE ON EACH COUNT, \$250,000 IN FINES ON EACH COUNT,

1 RESTITUTION, AND A SPECIAL ASSESSMENT IN THE AMOUNT OF
2 \$100 ON EACH COUNT, MAKING A TOTAL STATUTORY MAXIMUM
3 SENTENCE 60 YEARS IMPRISONMENT, THREE YEARS SUPERVISED
4 RELEASE, \$750,000 IN FINES, AND \$300 SPECIAL ASSESSMENT.

5 THAT YOU HAVE WAIVED YOUR RIGHT TO APPEAL YOUR
6 SENTENCE, INCLUDING ANY GUIDELINE RANGE ISSUE, RESERVING
7 ONLY THE RIGHT TO APPEAL FROM AN UPWARD DEPARTURE FROM THE
8 ADVISORY GUIDELINES. THAT YOU WAIVED YOUR RIGHT TO
9 CONTEST YOUR CONVICTION OR SENTENCE IN ANY POST-CONVICTION
10 PROCEEDING. YOU HAVE PRESERVED YOUR RIGHT TO PRESENT BY
11 WAY OF APPEAL OR MOTION ANY CONTENTION THAT YOU MAY HAVE
12 WITH REGARD TO INEFFECTIVE ASSISTANCE OF COUNSEL OR
13 PROSECUTORIAL MISCONDUCT WHICH YOU MAY NOT HAVE KNOWN
14 ABOUT AT THE TIME OF THE ENTRY OF YOUR PLEA.

15 YOU'VE AGREED TO ASSIST THE GOVERNMENT IN THE
16 RECOVERY AND FORFEITURE OF ANY ASSETS WHICH FACILITATE OR
17 WERE ACQUIRED THROUGH YOUR UNLAWFUL ACTIVITIES, INCLUDING
18 ALL ASSETS IN WHICH YOU HAVE ANY INTEREST OR CONTROL.

19 YOU'VE AGREED THAT THE PROCEEDS FROM THE SALE OF YOUR
20 HOME THAT ARE CURRENTLY IN THE POSSESSION OF THE UNITED
21 STATES DEPARTMENT OF JUSTICE SHALL BE USED FOR THE
22 PURPOSES OF PROVIDING RESTITUTION TO THE VICTIMS OF YOUR
23 CRIME, AND CONSENT TO THE TRANSFER OF SAID FUNDS TO THE
24 UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
25 NORTH CAROLINA TO EFFECT SUCH RESTITUTION.

1 YOU'VE AGREED TO MEET WITH INVESTIGATIVE AGENTS AND
2 TELL THEM ALL YOU KNOW ABOUT THIS MATTER, TO TESTIFY FULLY
3 AND TRUTHFULLY IN ANY PROCEEDING, AND TO SUBMIT TO A
4 POLYGRAPH EXAM IF REQUESTED TO DO SO BY THE UNITED STATES
5 ATTORNEY.

6 THE GOVERNMENT HAS AGREED, IF I APPROVE THIS, TO NOT
7 FURTHER PROSECUTE YOU FOR CONDUCT GIVING RISE TO THIS
8 INFORMATION; TO MAKE KNOWN TO THE COURT AT SENTENCING THE
9 EXTENT OF YOUR COOPERATION, THOUGH THE GOVERNMENT IS NOT
10 PROMISING TO MOVE FOR A DEPARTURE; THAT SELF-INCRIMINATING
11 INFORMATION PROVIDED BY YOU PURSUANT TO THE AGREEMENT
12 CANNOT BE USED AGAINST YOU IN DETERMINING YOUR GUIDELINE
13 RANGE EXCEPT AS SPECIFICALLY AUTHORIZED BY THE GUIDELINES,
14 NOR USE -- THE GOVERNMENT HAS AGREED NOT TO DIRECTLY USE
15 INFORMATION PROVIDED BY YOU PURSUANT TO THE AGREEMENT TO
16 PROSECUTE YOU FOR ADDITIONAL CRIMINAL OFFENSES OTHER THAN
17 CRIMES OF VIOLENCE.

18 THE GOVERNMENT HAS, HOWEVER, RESERVED THE RIGHT TO
19 MAKE A SENTENCING RECOMMENDATION, TO PRESENT EVIDENCE AND
20 INFORMATION IN REBUTTAL TO ANYTHING YOU OR YOUR LAWYER MAY
21 SAY AT SENTENCING, AND TO MOVE TO SET ASIDE THIS AGREEMENT
22 SHOULD IT LATER BE DETERMINED THAT YOU HAVE GIVEN FALSE,
23 INCOMPLETE, OR MISLEADING INFORMATION.

24 HAVE I FAIRLY AND ACCURATELY SUMMARIZED THE TERMS AND
25 CONDITIONS OF THIS AGREEMENT AS YOU UNDERSTAND IT?

1 **A.** YES, SIR.

2 **Q.** HAS ANYONE TOLD YOU ANYTHING AT ALL TO GET YOU TO
3 SIGN THIS AGREEMENT OTHER THAN WHAT APPEARS ON THE PAGES
4 OF THE AGREEMENT ITSELF?

5 **A.** NO, SIR.

6 **Q.** HAVE YOU ANSWERED ALL OF MY QUESTIONS TRUTHFULLY?

7 **A.** YES, SIR.

8 **THE COURT:** COUNSEL, I NOTICE YOU ARE NOT THE
9 SIGNED COUNSEL IN THIS CASE, BUT ARE YOU PREPARED TO STATE
10 WHAT THE GOVERNMENT WOULD BE ABLE TO PROVE IF IT WERE
11 READY TO GO TO TRIAL?

12 **MS. RANGARAJAN:** YES, YOUR HONOR.

13 **THE COURT:** MR. GUYETT, I WANT YOU TO LISTEN
14 CAREFULLY TO WHAT THE ASSISTANT UNITED STATES ATTORNEY IS
15 GOING TO SAY THAT THE GOVERNMENT WOULD BE PREPARED TO
16 PROVE TO PROVE YOUR GUILT AS TO COUNTS -- ALL OF THE
17 COUNTS, ONE THROUGH THREE OF THIS CRIMINAL INFORMATION.
18 WHEN SHE GETS THROUGH MAKING THE PROFFER OF WHAT SHE SAYS
19 SHE CAN PROVE, I'M GOING TO BE ASKING YOU WHETHER YOU
20 ADMIT THAT SHE CAN PROVE THAT. YOU MAY PROCEED.

21 **MS. RANGARAJAN:** THANK YOU, YOUR HONOR. YOUR
22 HONOR, IF THIS MATTER WERE TO PROCEED TO TRIAL, THE
23 GOVERNMENT WOULD BE PREPARED TO SHOW THAT BETWEEN
24 MARCH 2005 AND DECEMBER 2005, THE DEFENDANT ENGAGED IN A
25 SCHEME TO DEFRAUD CERTAIN PERSONS AND CORPORATIONS FOR THE

1 PURPOSES OF OBTAINING MONEY AND PROPERTY. IN
2 FURTHERANCE -- BY MATERIAL FALSE STATEMENTS.

3 IN FURTHERANCE OF THE SCHEME, ON THE OCCASIONS LISTED
4 IN THE INDICTMENT -- OR IN THE INFORMATION, SPECIFICALLY
5 MARCH 16, 2005; JUNE 2, 2005; AND NOVEMBER 2, 2005, CAUSED
6 ITEMS TO BE SENT AND DELIVERED BY PRIVATE COMMERCIAL
7 CARRIER, SPECIFICALLY FEDERAL EXPRESS, AS LISTED IN THE
8 CRIMINAL INFORMATION.

9 AS SET FORTH, YOUR HONOR, IN THE CRIMINAL
10 INFORMATION, WHICH I WOULD LIKE TO INCORPORATE HEREIN BY
11 REFERENCE, THE DEFENDANT OPERATED A COMPANY CALLED DONOR
12 REFERRAL SERVICES, THROUGH WHICH HE HARVESTED HUMAN TISSUE
13 FROM DECEASED PERSONS WHICH WOULD BE EVENTUALLY
14 TRANSPLANTED INTO OTHER HUMANS AS NEEDED FOR MEDICAL
15 REASONS.

16 THE UNITED STATES -- DEPARTMENT OF THE UNITED STATES
17 FOOD AND DRUG ADMINISTRATION REGULATES THE TRANSPLANTATION
18 OF HUMAN TISSUE. PURSUANT TO THOSE REGULATIONS, BEFORE
19 TISSUE MAY BE HARVESTED AND TRANSPLANTED INTO ANOTHER
20 HUMAN RECIPIENT, CERTAIN MEDICAL INFORMATION NEEDS TO BE
21 OBTAINED FROM THE -- BY THE HARVESTERS RELATING TO THE
22 DONOR. THAT MEDICAL INFORMATION IS ANALYZED TO ENSURE
23 THAT THERE ARE NO DISEASES THAT ARE GOING TO BE
24 TRANSMITTED BY THE HUMAN TISSUE THAT'S BEING HARVESTED.

25 FOR EXAMPLE, IF THE DONOR TISSUE TESTS POSITIVE FOR

1 ANY OF THE LISTED DISEASES THEN THAT TISSUE WOULD BE
2 PRECLUDED FROM TRANSPLANTATION TO ANOTHER HUMAN RECIPIENT.
3 IF CERTAIN MEDICAL HISTORY OF A DONOR INDICATES THAT THEY
4 SUFFERED FROM CANCER OR ANOTHER DISEASE, THAT TISSUE WOULD
5 BE PRECLUDED FROM TRANSPLANTATION.

6 WHAT THE DEFENDANT DID IN THE PRESENT CASE IS HE
7 ALTERED AND FALSIFIED THE MEDICAL HISTORY OF THE DONORS
8 AND SUBMITTED FALSE INFORMATION IN ORDER TO MAKE IT APPEAR
9 THAT THE DONOR TISSUE QUALIFIED FOR TRANSPLANTATION.

10 AGAIN, THE PURPOSE WAS -- AND MADE MATERIAL FALSE
11 REPRESENTATIONS IN CONNECTION WITH THAT. WHEN IN FACT
12 THOSE TISSUES DID NOT QUALIFY FOR TRANSPLANTATION AND
13 WOULD HAVE BEEN BARRED FROM TRANSPLANTATION UNDER FOOD AND
14 DRUG ADMINISTRATION'S REGULATIONS.

15 AN EXAMPLE OF SOME OF THE FALSE MATERIAL
16 REPRESENTATIONS MADE BY THE DEFENDANT INCLUDED FALSIFYING
17 BLOOD SAMPLE RESULTS. WHEN THE ORIGINAL DONOR'S BLOOD
18 SAMPLES TESTED POSITIVE FOR SOMETHING LIKE HEPATITIS C, HE
19 WOULD SUBMIT A DIFFERENT BLOOD SAMPLE TO SHOW THAT IT DID
20 NOT IN FACT TEST POSITIVE.

21 HE WOULD ALSO FALSIFY MEDICAL HISTORY. WHEN HE KNEW
22 FROM GATHERING INFORMATION FROM NEXT OF KIN THAT THE
23 INDIVIDUAL SUFFERED FROM CANCER OR ANOTHER DISEASE THAT
24 WAS ON THE PROHIBITED LIST, HE WOULD FALSIFY THAT
25 INFORMATION, AGAIN GIVING THE APPEARANCE THAT THE HUMAN

1 TISSUE QUALIFIED FOR TRANSPLANTATION.

2 SOME OF -- AFTER HE HARVESTED THE TISSUE FROM THE
3 HUMAN DONOR, HE WOULD SEND THE TISSUE VIA PRIVATE CARRIER,
4 FEDERAL EXPRESS, AS CHARGED IN THE CRIMINAL INFORMATION
5 FOR THOSE DATES, TO TISSUE BANKS WHERE IT WAS MAINTAINED
6 UNTIL NEEDED FOR TRANSPLANTATION INTO HUMAN RECIPIENTS.
7 HE WOULD RECEIVE BETWEEN 3,000 AND \$7,000 PER HARVEST
8 BASED UPON THE AGE AND THE TYPE OF TISSUE THAT HE
9 HARVESTED FROM A PARTICULAR PERSON.

10 AGAIN, THE PURPOSES OF THE FALSE MATERIAL
11 REPRESENTATIONS WAS TO OBTAIN MONEY FROM THE TISSUE BANKS
12 IN CONNECTION WITH THOSE HARVESTED TISSUE.

13 THAT WOULD BE SOME OF THE EVIDENCE THAT THE
14 GOVERNMENT WOULD BE PREPARED TO PRESENT AT TRIAL IN THIS
15 CASE IF THE DEFENDANT ELECTED TO PROCEED.

16 **THE COURT:** IF YOU WOULD PROCEED TO SET OUT WITH
17 SPECIFICITY THE DATES OF THE THREE COUNTS.

18 **MS. RANGARAJAN:** YES. AGAIN, AS I INDICATED
19 EARLIER, THE GOVERNMENT WOULD BE PREPARED TO SHOW
20 SPECIFICALLY THAT THERE WERE, AS SET FORTH IN THE CRIMINAL
21 INFORMATION, ON MARCH 16, 2005; ON JUNE 2, 2005; AND ON
22 NOVEMBER 2, 2005, THE DEFENDANT SHIPPED VIA FEDERAL
23 EXPRESS, HUMAN TISSUE.

24 WITH RESPECT TO THE MARCH 16, 2005, THE SHIPMENT WENT
25 FROM THE EASTERN DISTRICT OF NORTH CAROLINA TO GEORGIA.

1 THAT IN JUNE OF 2005, THE SHIPMENT OF HUMAN TISSUE WENT
2 FROM THE EASTERN DISTRICT OF NORTH CAROLINA TO UTAH. AND
3 THAT ON NOVEMBER 2, 2005, THE DEFENDANT CAUSED HUMAN
4 TISSUE TO BE TRANSPORTED AND DELIVERED BY FEDERAL EXPRESS
5 FROM NORTH CAROLINA TO TEXAS.

6 **THE COURT:** THANK YOU, MA'AM.

7 **BY THE COURT:**

8 **Q.** ALL RIGHT, MR. GUYETT. DO YOU ADMIT THE GOVERNMENT
9 IS PREPARED TO PROVE EXACTLY WHAT THE PROSECUTOR HAS JUST
10 STATED?

11 **A.** YES, SIR.

12 **THE COURT:** YOU MAY HAVE A SEAT. THE COURT IS
13 SATISFIED AND FINDS THAT THE PLEA WAS FREELY AND
14 VOLUNTARILY ENTERED. AT THE TIME IT WAS ENTERED, THE
15 DEFENDANT HAD A FULL AND COMPLETE UNDERSTANDING OF THE
16 NATURE OF THE CHARGES AND THE MAXIMUM PENALTIES PROVIDED
17 BY LAW, AND THAT A FACTUAL BASIS EXISTS FOR THE PLEA. THE
18 AGREEMENT IS THEREFORE APPROVED.

19 THE CLERK IS DIRECTED TO ENTER JUDGMENT GUILTY AS TO
20 THE THREE COUNTS CONTAINED IN THE CRIMINAL INFORMATION.

21 SENTENCING WILL BE IN RALEIGH ON THE 1ST DAY OF JUNE,
22 2009. IS THE GOVERNMENT WILLING TO STIPULATE?

23 **MS. RANGARAJAN:** YES, YOUR HONOR.

24 **THE COURT:** AND HAVE YOU HAD ACCESS TO THE
25 PRETRIAL REPORT SUBMITTED BY PRETRIAL?

1 **MS. RANGARAJAN:** YES, YOUR HONOR. THE
2 GOVERNMENT WOULD ASK, AS THEY RECOMMENDED, THE DEFENDANT
3 SURRENDER HIS PASSPORT, PLEASE.

4 **THE COURT:** ALL RIGHT. UPON STIPULATION BY THE
5 GOVERNMENT THAT THE DEFENDANT IS NEITHER A RISK OF FLIGHT
6 NOR DANGER TO THE COMMUNITY, THE COURT WILL ALLOW HIM TO
7 REMAIN AT LIBERTY UNTIL HIS SENTENCING ON THE 1ST DAY OF
8 JUNE 2009, UPON A \$25,000 UNSECURED BOND UNDER THE USUAL
9 CONDITIONS OF RELEASE AND SPECIAL CONDITION THAT HE
10 SURRENDER HIS PASSPORT TO THE CLERK'S OFFICE.

11 ALL RIGHT. YOU MAY STAND ASIDE.

12 **MR. BOYCE:** THANK YOU, YOUR HONOR.

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21 END OF TRANSCRIPT
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1 CERTIFICATE

2 THIS IS TO CERTIFY THAT THE FOREGOING TRANSCRIPT OF
3 PROCEEDINGS TAKEN AT THE CRIMINAL SESSION OF UNITED STATES
4 DISTRICT COURT IS A TRUE AND ACCURATE TRANSCRIPTION OF THE
5 PROCEEDINGS TAKEN BY ME IN MACHINE SHORTHAND AND
6 TRANSCRIBED BY COMPUTER UNDER MY SUPERVISION.

7 THIS THE 6TH DAY OF JANUARY, 2010.

8
9 /S/ DONNA J. TOMAWSKI

10 DONNA J. TOMAWSKI
11 OFFICIAL COURT REPORTER
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